

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

United States of America,	:	
	:	
Plaintiff,	:	Case No. 1:07-cr-8
	:	
- vs -	:	Chief Judge Susan J. Dlott
	:	Magistrate Judge Michael R. Merz
Shawndre Houston,	:	
	:	
Defendant.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #41), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Petition is DISMISSED with prejudice. Petitioner is also DENIED leave to appeal *in forma pauperis* and any request for certificate of appealability.

October 20, 2009.

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S/Susan J. Dlott  
Chief Judge Susan J. Dlott  
United States District Court